IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3514 OF 2005

IN

BOMBAY SESSIONS COURT A.B.A.MO.711 OF 2005

Hayat Mohammed Bakhat Siddiqui & Anr...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.H.V.Holmagi for Applicants.

Ms.Rajashree Gadhavi, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

(VACATION JUDGE)

JUNE 3, 2005.

P.C.

1. Heard Counsel for the parties.

2. This Anticipatory Bail Application has been moved directly before the High Court. Counsel for the Applicants, however, submits that the Applicants have already filed Anticipatory Bail

Application before the Sessions Court, which is numbered as 711 of 2005, which, however, is pending and now slated to be heard on 10th June 2005.

3. The limited grievance of the Applicants before this Court is that the Trial Court has deferred the hearing of the Anticipatory Bail preferred by the Applicants, without granting any protection to the Applicants and on the other hand, insisting presence before the Court, which would expose the Applicants for being arrested by the Investigating Officer, when they would make appearance before the Court, thereby, rendering the Anticipatory Bail Application infructuous.

4. The fact that the Applicants have already moved the Sessions Court for relief of Anticipatory bail is not in dispute. Besides, the said Application is already slated for hearing on 10th June 2005 is also not in dispute. In my opinion, the apprehension expressed by the Applicants is reasonable one.

5. The appropriate course is to grant limited

protection to the Applicants till the said Application is heard on merits on June 10, 2005, but on condition that the Applicants would report to the Investigating officer daily from today between 2.00 p.m. to 5.00 p.m. and cooperate for the purpose of investigation, as may be required.

6. Besides, the Applicants will make appearance before the Sessions Court at the time of hearing of the Anticipatory Bail Application on June 10, 2005 as condition for extending limited protection to the Applicants.

7. This Application is disposed of with the above observations.

A.M.KHANWILKAR, J.